

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 02, 2021

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

STEWART KERR, MD, a married
individual,

Plaintiff,

v.

WENATCHEE VALLEY MEDICAL
GROUP, a Washington professional
service corporation; CONFLUENCE
HEALTH, a Washington professional
service corporation; STUART
FREED, an individual; and PETER
RUTHERFORD, an individual,

Defendants.

NO: 2:20-CV-92-RMP

ORDER OF DISMISSAL

BEFORE THE COURT is the parties' Stipulated Motion to Dismiss Claims,
ECF No. 32. Having reviewed the Motion and the record, the Court finds good
cause to grant dismissal, as the parties request. Accordingly, **IT IS HEREBY
ORDERED:**

1. The parties' Stipulated Motion to Dismiss Claims, **ECF No. 32**, is

GRANTED.

1 2. Plaintiff's first cause of action (False Claims Act retaliation), second cause
2 of action (Medicaid fraud False Claims Act retaliation), and fourth cause of
3 action (constructive discharge) are **dismissed with prejudice** and without
4 fees or costs to any party.

5 3. Furthermore, the Court declines to exercise supplemental jurisdiction over
6 Plaintiff's remaining state law claims and **dismisses** the state law claims
7 **without prejudice**, pursuant to 28 U.S.C. § 1367(c). *See* ECF No. 32 at 2.

8 4. All pending motions, if any, are **DENIED AS MOOT**.

9 5. All scheduled court hearings, if any, are **STRICKEN**.

10 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
11 Order, enter judgment of dismissal with prejudice as provided above, provide copies
12 to counsel, and **close this case**.

13 **DATED** February 2, 2021.

14
15 *s/ Rosanna Malouf Peterson*
16 ROSANNA MALOUF PETERSON
17 United States District Judge
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